

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

D.C. EVEREST AREA SCHOOL DISTRICT, Petitioner,

vs.

GEORGE A. MUDROVICH, Respondent.

Case 53
No. 57582
MP-3522

Decision No. 29946-N

Appearances:

William Haus, Haus, Roman and Banks, LLP, Attorneys at Law, 148 East Wilson Street, Madison, WI 53703-3423, appearing on behalf of George A. Mudrovich.

Ronald J. Rutlin, Ruder Ware , Attorneys at Law, 500 Third Street, P. O. Box 8050, Wausau, WI 54402-8050, appearing on behalf of D.C. Everest Area School District.

ORDER DENYING PETITIONS FOR REHEARING

On June 2, 2004, the Wisconsin Employment Relations Commission issued an Order on Review of Examiner's Decision in the above matter concluding that Respondent D.C. Everest School District had committed prohibited practices when it laid off Complainant Mudrovich but not by failing to hire him. To remedy the prohibited practices found, the Commission ordered Respondent to make Complainant Mudrovich whole for the period of time between the effective date of his layoff and June 2, 2004 but did not order Respondent to reinstate Complainant or to pay him attorney's fees.

On June 17, 2004, Complainant filed a petition for rehearing pursuant to Sec. 227.49, Stats., asserting that the Commission had erred by failing to reinstate him and failing to award attorney's fees.

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On June 18, 2004, Respondent filed a petition for rehearing pursuant to Sec. 227.49, Stats., asserting that the Commission had erred by ordering Respondent to make Complainant whole.

Having reviewed the record and being fully advised in the premises, the Commission is persuaded that it did not make any errors of fact or law in its June 2, 2004 Order and that therefore the petitions for rehearing should be denied.

NOW, THEREFORE, it is

ORDERED

The petitions for rehearing are denied.

Given under our hands and seal at the City of Madison, Wisconsin, this 7th day of July, 2004.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Judith Neumann /s/

Judith Neumann, Chair

Susan J. M. Bauman /s/

Susan J. M. Bauman, Commissioner

Commissioner Paul Gordon did not participate.